| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/965,014 | 09/27/2001 | Wayne Elmo Vicknair | AUS920010548US1 | 2757 |

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| EXAMINER |
|---|
| AILES, BENJAMIN A |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2142 | |

DATE MAILED: 08/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)☒ Responsive to communication(s) filed on <u>27 April 2006</u>.

2a)☐ This action is **FINAL**.  2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)☒ Claim(s) *1,2,4-10,12-18 and 20-29* is/are pending in the application.

  4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2,4-10,12-18,20-29* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

## Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

  a)☐ All  b)☐ Some * c)☐ None of:

  1.☐ Certified copies of the priority documents have been received.

  2.☐ Certified copies of the priority documents have been received in Application No. _____.

  3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

  * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
  Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
  Paper No(s)/Mail Date _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

## DETAILED ACTION

1.     This action is in response to correspondence filed 27 April 2006.

2.     Claims 1-2, 4-10, 12-18 and 20-29 remain pending. Claims 3, 11 and 19 are

cancelled claims.

### *Response to Arguments*

3.     Applicant's arguments with respect to the claims have been considered but are

moot in view of the new ground(s) of rejection.

### *Drawings*

4.     The specification and drawings are objected to because in the specification, page

5, lines 16-17 there is a brief description for Figure 6 however there is no Figure 6

present in the filed drawings.  Figure 6 is not mentioned elsewhere in the specification.

Appropriate correction and/or clarification is required.

### *Claim Rejections - 35 USC § 103*

5.     The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

6.     This application currently names joint inventors.  In considering patentability of

the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary.  Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)

prior art under 35 U.S.C. 103(a).

7.      Claims 1-2, 4-6, 9, 10, 12-24, 17, 18, 20-22 are rejected under 35 U.S.C. 103(a)

as being unpatentable over Davis et al. (US 5,495,577), hereinafter referred to as Davis,

in·view of Call (US 2002/0143521).]

8.      Regarding claim 1, Davis teaches a method for "retrieving a data value from a

character stream" by processing a text stream and obtaining information for each

character in the data (text) stream (see col. 6, ll. 14-16). Davis teaches validity

determination by determining if a character is found in a valid font type. Taking

broadest reasonable interpretation of the claim as written, it is unclear as to what type of

validity is actually being tested and therefore Davis' test of validity falls within the scope

of the claim (see col. 6, ll. 16-23). Davis teaches on performing a validity test on each

character in the stream but does not clearly recite the explicit use of a data structure to

store the characters. However, in related art, Call teaches on this aspect. Call teaches

the use of a data structure, an array, to store and index using integer values of

character data (p. 2, para. 0016).   One of ordinary skill in the art at the time of the

applicant's invention would have found it obvious to utilize a data structure like an array

to index character values as demonstrated by Call in combination with the character

validation method taught and suggested by Davis. One of ordinary skill in the art would

have been motivated to utilize a data structure like an array to promote easy

organization and efficient execution of processing functions by way of easy indexing of character values (see Call, p. 2, para. 0016).

9.      Regarding claim 2, the same rationale as utilized in the rejection of claim 1 applies equally as well to claim 2, wherein Davis teaches on performing a validity test on each character in the stream but does not clearly recite the explicit use of a data structure to store the characters. However, in related art, Call teaches on this aspect. Call teaches the use of a data structure, an array, to store and index using integer values of character data (p. 2, para. 0016). One of ordinary skill in the art at the time of the applicant's invention would have found it obvious to utilize a data structure like an array to index character values as demonstrated by Call in combination with the character validation method taught and suggested by Davis. One of ordinary skill in the art would have been motivated to utilize a data structure like an array to promote easy organization and efficient execution of processing functions by way of easy indexing of character values (see Call, p. 2, para. 0016).

10.     Regarding claim 4, Davis and Call teach on the aspect of wherein if the logical corresponds to a logically "TRUE" value, said data value represents a valid character (Davis, col. 6, ll. 27-30).

11.     Regarding claim 5, Davis and Call teach on the aspect of further comprising if each character in said character stream is valid, applying a predetermined set of syntactic rules to byte patterns comprising said character stream (Davis, col. 6, ll. 27-30, wherein Davis teaches applying rules if each character checks out valid).

12.     Regarding claim 6, Davis and Call teach on this aspect in view of the above rejection of claims 1 and 2 wherein Call teaches the use of the data structure being an array (see Call, p. 2, para. 0016).

13.     Claims 9, 10 and 12-14 contain similar subject matter and are rejected under the same rationale as claims 1, 2 and 4-6, respectively.

14.     Claims 17, 18 and 20-22 contain similar subject matter and are rejected under the same rationale as claims 1, 2 and 4-6, respectively.

15.     Claims 7-8, 15-16 and 23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Davis and Call in view of Zhao et al. (US 2002/0042707 A1), hereinafter referred to as Zhao.

16.     Regarding claims 7 and 8, Davis teaches the use of a wide range of fonts and styles but does not explicitly disclose the use of extensible markup language (XML) syntax. However Zhao teaches the analysis and format determination of extensible markup language (XML) (see fig. 6, grammar packaging). At the time of the applicant's invention, it would have been obvious to one of ordinary skill in the art to modify Davis's method to allow it to process XML documents as input, as taught by Zhao. It logically follows that the rules employed by Davis's character validation would be in accordance with extensible markup language (XML) also. The motivation for doing so would have been to be able to determine whether extensible markup language (XML) packets match the extensible markup language (XML) protocol definition at an increased speed over prior methods. Therefore it would have been obvious to combine Davis, Call and

Zhao for the benefit of increased processing speed to obtain the invention as specified in claims 7-8.

17.     Claims 15 and 16 contain similar subject matter and are rejected under the same rationale as claims 7 and 8.

18.     Claims 23 and 24 contain similar subject matter and are rejected under the same rationale as claims 7 and 8.

19.     Claim 25 contain similar subject matter and are rejected under the same rationale as applied to claims 1, 5, 7, and 8.

20.     Claims 26-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Davis, Call and Zhao in view of Jurion et al. (US 6,631,501 B1), hereinafter referred to as Jurion.

21.     Regarding claims 26-29, the combination of Davis, Call and Zhao as outlined in the above rejections teaches upon the aspects of character stream parsing and performing validity tests upon the parsed characters but does not clearly teach upon the aspect wherein the parsed characters are tested to be "base" characters, "digit" characters and "extender" characters.  While Davis, Call and Zhao do teach upon the usage of characters in general (i.e. Davis is testing font characters), nothing is explicitly recited to classify these characters into general groups (i.e. base, digit and extender). However, in related art, Jurion teaches the automatic and replacement of characters wherein characters are tested on their validity within a group or string of characters to determine whether a character within the string is appropriate, or valid.  Jurion teaches that the characters analyzed can be of a plurality of different types of characters which

would implicitly include "base" characters, "digit" characters, and "extender" characters as claimed by applicant and therefore one of ordinary skill in the art at the time of the applicant's invention would have found it obvious to test the validity of characters utilizing aspects taught by Jurion, specifically the use of base, digit, and extender characters (col. 3, lines 8-18). One of ordinary skill in the art would have been motivated to utilize the teachings of Jurion in combination with the teachings of Davis, Call, and Zhao in order to check the syntactical rules of character streams correctly and efficiently as provided by Jurion as a necessary need in the art of simple character validation (see Jurion, col. 2, ll. 41-52).

### *Conclusion*

22.    The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kung et al. (US 5,223,831) teaches an ideographical character signaling system.

Soderberg et al. (US 2005/0246694 A1) teaches methods and apparatus for parsing extensible markup language (XML) data streams.

Bhatt et al. (US 6,405,191 B1) teaches content based publish and subscribe system integrated in a relational database system.

Lee (US 6,968,395 B1) teaches parsing messages communicated over a data network.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin A. Ailes whose telephone number is (571)272-3899.  The examiner can normally be reached on M-F 6:30-4, IFP Work Schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on (571)272-3868.  The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the
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USPTO Customer Service Representative or access to the automated information
system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BEATRIZ PRIETO
PRIMARY EXAMINER

baa